FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 1900 OF 2006

Office Notes, Office Memorada orders or directions and Registrar's orders.	Court's or Judge's Orders.
	Shri a.S.Kulkarni with S.Nimbkar for the petitioner. Shri R.Shah with D.Rai for Respdt.no.1 Shri K.J. Hakani for Respdt.4 Shri P.S.Dani for Respdt. 2. **CORAM; V.G.PALSHIKAR & V.R.KINGAONKAR, JJ.** **DTAED: 22ND MARCH,2006.** P.C. 1. Heard. The contention of the petitioner is that the appeal could not be admitted without deposit of half of the amount, due or claimed as per proviso (2) appended below section 18(i) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act 2002. 2. We are of the opinion that the point has not been concluded

by the impugned order and it should be considered by the DRAT since the matter is kept for final hearing.

3. We are of the opinion that the petition should be disposed of by keeping the question of non compliance of section 18, open for consideration of the DRAT at the time of final hearing. The DRAT may consider this question before proceeding to hear the appeal on merit and should decide the matter as per the law. The petitioner may make a request before DRAT on 29th March for expeditious disposal of the petition. Hence this petition is disposed of.

4. Parties to act on authenticated copy of this order.

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